



WISCONSIN

DEPARTMENT OF WORKFORCE DEVELOPMENT
Division of Economic Support
Bureau of Work Support Programs

TO: **Economic Support Supervisors
Economic Support Lead Workers
Training Staff
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W-2 Agencies**

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Non W-2 ☐ W-2 ☒ CC ☐

PRIORITY: Medium

SUBJECT: **DETERMINING W-2 ELIGIBILITY**

CROSS REFERENCE: DES Administrator's Memo 00-13
W-2 Manual

EFFECTIVE DATE: Immediately

PURPOSE

From time to time Central office is contacted about Wisconsin Works (W-2) applicants who have been denied services. Contacts generally come from client advocates or the W-2 applicants themselves. These contacts have raised concerns that there is some inconsistency across agencies in how W-2 eligibility criteria is applied. This memo provides policy clarification regarding the appropriate criteria to be used in determining eligibility for the W-2 Program.

DETERMINING W-2 ELIGIBILITY

There are 3 steps to determining an individual's eligibility for placement on the W-2 ladder (Unsubsidized Employment, Trial Job, Community Service Job or W-2 Transition). First, the FEP must determine nonfinancial eligibility. In order to be nonfinancially eligible for a W-2 employment position, an applicant must meet all of the criteria listed in section 2.2.0 of the W-2 Manual. If an applicant meets these criteria, the FEP must then determine financial eligibility using the criteria found in section 3.1.0 of the W-2 Manual.

Although applicants must meet both the nonfinancial and the financial eligibility criteria to be considered for a W-2 employment position, meeting these criteria does not entitle the applicant to a paid W-2 employment position placement (Trial Job, Community Service Job, W-2 Transition).

Meeting these criteria does, however, indicate eligibility for some level of employment services. In order to receive services, the applicant must be placed on 1 of the 4 rungs of the W-2 employment ladder. The W-2 agency must place the participant on the most appropriate rung of the W-2 ladder using the assessment process described in section 5.1.0 of the W-2 Manual.

W-2 ASSESSMENT PROCESS

Based on an assessment of the applicant's recent job search efforts, work history, education, skills, interests and abilities, the FEP must determine whether the applicant is ready for unsubsidized employment. If the applicant meets the nonfinancial and financial eligibility criteria, but is employed or has a strong employment history and skills, the applicant may be placed on the Unsubsidized Employment rung of the W-2 ladder. See the W-2 Manual, Chapter 5 for guidelines on Unsubsidized Employment position placements. Individuals who meet nonfinancial and financial eligibility criteria and present barriers to unsubsidized employment must be placed in a paid W-2 placement. Appropriate placement is determined by the severity of the identified barriers. See the W-2 Manual, Chapter 7 for guidelines on paid placements.

Assessment information must be documented in the case record. If the Financial and Employment Planner (FEP) is uncertain or unable to support in writing the placement of an unemployed individual into the Unsubsidized Employment rung, it may be appropriate to place the individual in a CSJ employment position, with a strong focus on job readiness activities, such as job-search, setting up interviews with employers, etc. Placement in a CSJ with a focus on job search will also provide more information to the FEP regarding the individual's ability to obtain full-time employment.

CUSTODIAL PARENT OF AN INFANT (CMC)

Whether or not an individual is appropriate for placement in unsubsidized employment is a factor for placement in a W-2 employment position; however, that same standard is not appropriate for placement in CMC. It is expected that a single parent probably could not maintain full-time employment and care for a child less than 12 weeks at the same time. W-2 provides a placement for these single parents so they can stay at home and care for the child during the first few months of the child's life. This policy is based on the Family Medical Leave Act with the exception that the W-2 placement offers income support during the first 12 weeks of the child's life. At the end of the 12-week period, the single parent would be expected to join the workforce, just like other parents of young children or, if otherwise eligible, be placed in a W-2 employment position. See Operations Memo 00-34 for more information on CMC eligibility.

Example #1: Linda, a 27-year old mother with a young child lives at home with her parents. She meets all nonfinancial eligibility criteria. She receives \$300 a month in child support payments, food stamps and Medicaid. Although Linda has very few expenses because she lives with her parents, she meets both the 115% gross income and the W-2 asset tests. Therefore, she is eligible for placement in one of the 4 W-2 employment positions. Once Linda's employability is assessed, the FEP determines that she would be best suited in the Community Service Job placement due to her sporadic work history, low education level and the legal issues she needs assistance in settling before she can obtain unsubsidized employment.

Example #2: Sue, a 32-year old woman living with her 2 children and an employed boyfriend, applies for W-2. She receives a Native American tribal settlement payment in the amount of \$2500 every quarter (over \$800 per month). The FEP determines that Sue meets both the nonfinancial and financial eligibility requirements and, therefore, the FEP assesses her employability. Upon concluding that Sue has held 2 hospitality jobs in the past year and has a high school diploma, the FEP determines that she is most appropriate for the Unsubsidized Employment rung of the W-2 ladder. Sue agrees in writing to the placement and is engaged in extensive job search activities.

Example #3: John and Sarah, a married couple with 3 school-age children, apply for W-2 and are determined to meet all non-financial eligibility criteria. Sarah is currently employed full-time at a minimum-wage job with no benefits. John has been let go from 3 jobs in the last year and is currently unemployed. With Sarah's wages as their only income, the family meets both the W-2 gross income and asset limit, qualifying them for W-2 services. Through the assessment process, the FEP learns that John does not have a high school diploma and has been asked to leave 3 different jobs in the past year due to his inability to complete the tasks assigned to him. The FEP determines that he could benefit from a CSJ work-training placement along with GED classes. In addition, Sarah expresses an interest in receiving help with pursuing advancement opportunities with her current employer and is referred for Workforce Attachment and Advancement program services.

Example #4: Jill is an 18-year old high school student with a small child. She still lives at home with her parents and is not expected to pay rent. Jill works as a receptionist 15 hours per week and attends school 15 hours per week through her high school's cooperative education program. After determining that she meets all non-financial and financial eligibility criteria, the FEP and Jill begin to discuss how W-2 may be able to help. They agree that by completing her high school education, Jill will no longer have a barrier to obtaining full-time employment. Jill is placed in a CSJ and given a ½ prorated CSJ payment of \$341 per month. Because Jill is under age 20, the FEP must permit her to attend high school to satisfy the required hours of participation in her CSJ. The FEP may assign additional activities as long as Jill's combined hours in her unsubsidized job and her CSJ participation do not exceed 40 hours.

Example #5: Marcia, a 30-year old mom with a school-age daughter, recently divorced her husband, left her home in Minnesota and moved to Wisconsin. She reports during her initial meeting with the Resource Specialist (RS) that her only income is \$500 in child support for her daughter. While the RS determines that Marcia will most likely be eligible for some level of W-2 employment services, Marcia is not interested in obtaining employment. Her goal is to complete a bachelors degree at the local community college. After further discussion about the types of services available under W-2 and the time-limits that apply to a paid employment position, Marcia begins to reconsider her application for W-2. The discussion switches over to the types of resources that Marcia may have available to her both through the W-2 agency and in the community to help her pursue her goal of a college education. The RS provides information about Food Stamps and Medicaid/BadgerCare and refers her to the financial aid office at the community college and the local low-income housing agency. Marcia chooses to sign the Voluntarily Declining Aid form and applies only for Food Stamps and Medicaid .